

AMENDED

ASSIGNED

APPLICATION FOR PERMIT

Serial No. 10487

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office APR 8 1940
Returned to applicant for correction JUL 6 1940
Corrected application filed AUG 8 1940

The undersigned J. M. Collins
Name of applicant
of Ely, County of White Pine, State of Nevada, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

- 1. The source of the proposed appropriation is Nigger Creek & Tributaries
2. The amount of water applied for is 6.5 second-feet.
3. The water to be used for Irrigation and domestic
4. The water is to be diverted from its source at the following point: Whence the N. W. Cor. Sec. 2, T. 16 N., R. 67 E., M.D.B.&M. bears N. 75° W. 5,180 feet.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is 320
(b) Description of land to be irrigated The East half of the Southeast quarter Sec. 34 and Southwest quarter of Southwest quarter Sec. 35, T. 17 N., R. 67 E. and Northeast quarter Sec. 3 and the west half of the Northwest quarter Sec. 2 T. 16 N., R. 67 E., M.D.B.&M.

- (c) Use will begin about Jan. 1st and end about Dec. 31st, of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is horsepower.
(e) Works to be located
(f) Point of return of water to stream
(g) State number and kinds of animals to be watered

- (h) Use will begin about and end about, of each year.

(i) Remarks During flood flow season and at other times the creek flows more water for short periods than is covered by existing rights. This filing is intended to cover all the flow of the creek so that use can be made of it when available, after existing decreed rights are served.

DESCRIPTION OF PROPOSED WORKS

Dam of timber, rock and earth

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits: If water

is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works \$500.00

6. Estimated time required to construct works 3 years

7. Remarks Nigger Creek is a flash stream and applicant desires to use the full flow while it lasts because the creek flow quickly subsides and would be wasted if not diverted when available.

J. M. Collins, Applicant.

By

Compared RMG-C.T.

This sheet inspected

Protested October 14, 1940 by R. A. Yelland, Engineer. Amended a protest filed Nov. 1, 1940.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.2 cubic feet per second.

Actual construction work shall begin on or before March 28, 1952

Proof of commencement of work shall be filed before April 28, 1952

Work must be prosecuted with reasonable diligence and be completed on or before March 28, 1953

Proof of completion of work shall be filed before April 28, 1953

Application of water to beneficial use shall be made on or before

March 28, 1955. Proof of the application of water to beneficial use must be filed with State Engineer on or before April 28, 1955.

Map Filed AUG 5 1940. Proof of commencement of work filed APR 17 1952. WITNESS MY HAND AND SEAL this 29th day

of August, 1951.

PROOF OF BENEFICIAL USE FILED APR 28 1960

CULTURAL MAP FILED May 7 1960

CERTIFICATE No. 5042 ISSUED 12/15/60

RECORDED 12/15/60

Signature of State Engineer

State Engineer

White Pine RECORDER